

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
Nashville Division**

Victor Ashe, Phil Lawson, and the League of
Women Voters of Tennessee,

Plaintiffs,

v.

Tre Hargett, in his official capacity as
Tennessee Secretary of State; Mark Goins, in
his official capacity as Tennessee
Coordinator of Elections; and Jonathan
Skrmetti, in his official capacity as
Tennessee Attorney General,

Defendants.

Case No. 3:23-cv-01256
Judge Eli J. Richardson
Magistrate Judge Alistair Newbern

MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65, and upon the Declarations of Victor Ashe, Phil Lawson, and Debby Gould; the accompanying Memorandum of Law; and all other pleadings and proceedings in this action, Plaintiffs Victor Ashe, Phil Lawson, and the League of Women Voters of Tennessee, by and through their undersigned counsel, move for an order (1) preliminarily finding that Tennessee Code Annotated Sections 2-7-115(b) and (c) are void for vagueness under the Fourteenth Amendment, and overbroad and in violation of the First Amendment's free speech clause; (2) preliminarily enjoining Defendants and their employees, agents, and successors in office from enforcing Tennessee Code Annotated Sections 2-7-115(b) and (c); (3) awarding Plaintiffs their reasonable attorneys' fees and costs, including pursuant to 42 U.S.C. § 1988; and (4) granting such other relief as the Court deems just and proper

As set forth in detail in the Memorandum of Law, Plaintiffs are likely to succeed on the merits of each of their moved-on claims and will suffer irreparable harm absent relief, and the

balance of the equities favors Plaintiffs. For these reasons, Plaintiffs are entitled to a preliminary injunction.

Prior to the filing of this Motion, in accordance with Local Rule 7.01(a)(1), Plaintiffs' counsel advised Defendants' counsel of their intention to move for a preliminary injunction. Defendants' counsel indicated that they would oppose the Motion and requested relief.

Dated: December 8, 2023

Respectfully submitted,

/s/ R. Culver Schmid

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CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2023 a true and exact copy of the foregoing is being served via the Court's CM/ECF system upon the following:

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